

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAVID D. BUTLER,

Plaintiff,

v.

JAMES HANKEN, et al.,

Defendant.

CASE NO. 2:23-cv-01624-LK-BAT

**ORDER APPOINTING COUNSEL**

This is a 42 U.S.C. § 1983 prisoner civil rights action. On January 18, 2024, the Court issued an order granting plaintiff's motion for appointment of counsel contingent on the identification of counsel willing to represent plaintiff and directing the Western District of Washington's pro bono coordinator to identify counsel to represent plaintiff, in accordance with the Court's General Order 07-23. Dkt. 16. On February 5, 2024, the Court was notified that counsel had been located.

Accordingly, the Court hereby GRANTS plaintiff's request for appointment of counsel and appoints John Goldmark (johngoldmark@dwt.com) of Davis Wright Tremaine LLP, 920 5<sup>th</sup> Avenue, Suite 3300, Seattle, WA 98104, (206) 757-8068, as counsel for plaintiff, David D. Butler, pursuant to "The United States District Court for the Western District of Washington's

1 Plan for *Pro Se* Litigant Representation in Civil Rights Actions (As Amended, Effective January  
2 1, 2024)” (“Plan”). *See* General Order No. 07-23.

3 Counsel is directed to file a Notice of Appearance on or before **February 14, 2024**. If  
4 counsel is unable for a reason set forth in the Plan to assume this representation, a motion for  
5 relief from appointment should immediately be filed with the assigned judge. In the event  
6 plaintiff prevails, appointed counsel may move for an award of attorney’s fees under any  
7 applicable authority. The court is unable to assure counsel of compensation from any other  
8 source, however.

9 Counsel for both parties are directed to meet and confer per the order that will be issued  
10 by the Court for submission of a Joint Status Report.

11 The Clerk is directed to send copies of this order to plaintiff, John Goldmark, counsel for  
12 defendants, and to the Honorable Lauren King.

13 DATED this 7<sup>th</sup> day of February, 2024.

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16 BRIAN A. TSUCHIDA  
United States Magistrate Judge